G. R. S. 59] (PL-15 000 20 12 1.)

GENERAL AND REVENUE SECRETARIAT.

1892-1893
~~191~~.

(Muzrai)

File No. 180

Serial Nos. 1-2

Papers Filed.

Month August 1892

SUBJECT.

Issues rules for the deposit of moneys on favourable rate of Interest at 5 per cent by private Individuals in Govt Treasuries on behalf of Benevolent, Charitable or Educational objects.

PREVIOUS REFERENCES	LATER REFERENCES
	Muz. F. 78 of 1894
	Muz F 6 of 1902

Order.

As applications are being received from private gentlemen for the deposit of monies in Government Treasuries on favourable rates of interest with a view of securing a permanent income for the Charities, which they have already established or contemplate establishing within the Province, the Government of H. H. the Maharajah are pleased to issue the following rules on the subject.

I. No deposit will be accepted for sums below Rs 3000/- or above 100000/- Rs.

II The rate of interest for such deposits shall in no case exceed 5 per cent per annum and shall be payable half-yearly.

III Deposits will be

In lieu of the portion bracketted I would insert what I have entered in the margin in red ink.

AM

27/7/92

I wd reverse as shewn in blackink. I think Courts should have no power in the matter.

AM
27/7/92

received only on behalf of Benevolent, Charitable or Educational Institutions or objects, Government reserving to itself the right to determine in each case, whether the Charity on behalf of which application is made, is of a character that deserved encouragement.

IV. The person wishing to make a deposit under these rules shall execute a document to the Government binding his heirs, executors, administrators or assigns not to demand at any time the whole or any portion of the principal of the sum deposited, unless he or they can prove to the satisfaction of Government that a more profitable investment attended with no risk could be made provided that it shall be lawful for the depositor his heirs executors, administrators or assigns with the sanction of Government or under the orders or direction

Great Court of Compensation, power to make a
investment and more
remunerative investment
to change and vary
the investment from time
time

27/7/92

of the moneys when he or they will be allowed the privilege of so reinvesting it and provided also on his or their furnishing ... guarantee on that behalf that profits of such re-investment will continue to be devoted to the same object or such other similar charitable object as may be approved of by the Government.

power of Court to authorise
money & invest it otherwise
for the benefit of the charity

10 Councillors.

Order.

As applications are ~~coming~~ being received from private gentlemen for the deposit of monies in Government Treasuries on favorable rates of interest with a view of securing a permanent income for the charities in which they have already established or contemplate establishing within the Province, the Government of H. H the Maharaja are pleased to issue the following rules on the

I Copies
ul
29/6/92

the subject.

I No deposit will be accepted for sums below Rs. 3000 or above × of Rupees.

× I wd say 10,000 00 pl

II The rate of interest for such deposits shall in no case exceed 5 per cent per annum and shall be payable half yearly.

III Deposits will be received only on behalf of Benevolent, Charitable or Educational Institutions or objects, Government reserving to itself the right to determine in each case, whether the

the charity, on behalf of which application is made, is of a character that deserved encouragement.

IV. The person wishing to make a deposit under these Rules, shall execute a document to the Govt., binding himself, his heirs, executors, administrators or assigns not to demand at any time the whole or any portion of the principal of the sum deposited

Why should this restriction be imposed I suppose, the Trustees or managers of the charity find that the money could be invested in approved securities & profitably immediately - property and a larger income secured why should not the Trustees or managers be allowed to withdraw the money? I would allow them to do so after giving 6 months notice of withdrawal

AVJ
29. 6 — 92

Insert "omit" at any time add at the end the words: "without giving six months notice of withdrawal"

AVJ
29. 6 — 92.

P. 492-500

22

9/10.8.92. Order :-

As applications are being received, from private gentlemen for the deposit of monies in Government Treasuries on favorable rates of interest with a view of securing a permanent income for the charities, which they have already established or contemplate establishing within the Province, the Government of H H. the Maharaja are pleased to issue the following rules on the subject.

I. No deposit will be accepted for sums below Rs 3000/- or above 100000/- Rs.

II. The rate of interest for such deposits shall in no case exceed 5 per cent, per annum and shall be payable half-yearly.

III Deposits will be received only on behalf of Benevolent, Charitable or Educational Institutions or objects, Government reserving to itself the right to determine in each case, whether the charity on behalf of which application is made, is of a character that deserved encouragement.

IV. The person wishing to make a deposit under these rules shall execute a document to the Government binding his

his heirs, executors, administrators or assigns not to demand at any time the whole or any portion of the principal of the sum deposited, provided that it shall be lawful for the depositor, his heirs, executors, administrators, or assigns, with the consent of Government, to withdraw the money and invest it otherwise for the benefit of the Charity.

V. The Govt are at ~~—~~ liberty at any time to ~~[illegible]~~ terminate ~~±~~ the System of receiving Deposits & allowing for Charitable purposes.

Proceedings of the Government of His Highness the Maharaja of Mysore, (Muzarayi),—dated 9th August 1892.

MUZARAYI.

No. 492-500—22, DATED BANGALORE, 9TH AUGUST 1892.

ORDER.—As applications are being received from private gentlemen for the deposit of moneys in Government Treasuries on favorable rates of interest with a view of securing a permanent income for the charities, which they have already established or contemplate establishing within the Province, the Government of His Highness the Maharaja are pleased to issue the following rules on the subject:—

I. No deposit will be accepted for sums below Rs. 3,000 or above Rs. 1,00,000.

II. The rate of interest for such deposits shall in no case exceed 5 per cent per annum and shall be payable half-yearly.

III. Deposits will be received only on behalf of Benevolent, Charitable or Educational Institutions or objects, Government reserving to itself the right to determine, in each case, whether the charity on behalf of which application is made, is of a character that deserved encouragement.

IV. The person wishing to make a deposit under these rules shall execute a document to the Government binding his heirs, executors, administrators or assigns not to demand at any time the whole or any portion of the principal of the sum deposited, provided that it shall be lawful for the depositor, his heirs, executors, administrators or assigns, with the consent of Government, to withdraw the money and invest it otherwise for the benefit of the charity.

V. The Government are at liberty at any time to terminate the system of receiving deposits as above for charitable purposes.

Secretary.

To—The Deputy Commissioners of Districts.
The Comptroller to the Government of Mysore.

EXD.—A.N.S.

1892.

GOVERNMENT OF MYSORE.

MUZARAYI.

PROCEEDINGS.

Dated 9th August 1892.

No. $\frac{492\text{-}500.}{22}$

Issuing certain rules in regard to the deposit of moneys on favorable rates of interest by private individuals in Government Treasuries on behalf of Benevolent, Charitable or Educational Institutions or objects.

Mysore Govt. Central Press, Bangalore.—12-8-92.—200.

Proceedings of the Government of His Highness the Maharaja of Mysore, (Muzarayi),—dated 9th August 1892.

MUZARAYI.

No. 492-500—22, DATED BANGALORE, 9TH AUGUST 1892.

ORDER.—As applications are being received from private gentlemen for the deposit of moneys in Government Treasuries on favorable rates of interest with a view of securing a permanent income for the charities, which they have already established or contemplate establishing within the Province, the Government of His Highness the Maharaja are pleased to issue the following rules on the subject:—

I. No deposit will be accepted for sums below Rs. 3,000 or above Rs. 1,00,000.

II. The rate of interest for such deposits shall in no case exceed 5 per cent per annum and shall be payable half-yearly.

III. Deposits will be received only on behalf of Benevolent, Charitable or Educational Institutions or objects, Government reserving to itself the right to determine, in each case, whether the charity on behalf of which application is made, is of a character that deserved encouragement.

IV. The person wishing to make a deposit under these rules shall execute a document to the Government binding his heirs, executors, administrators or assigns not to demand at any time the whole or any portion of the principal of the sum deposited, provided that it shall be lawful for the depositor, his heirs, executors, administrators or assigns, with the consent of Government, to withdraw the money and invest it otherwise for the benefit of the charity.

V. The Government are at liberty at any time to terminate the system of receiving deposits as above for charitable purposes.

A. SREENIVASACHARLU,
Secretary.

To—The Deputy Commissioners of Districts.
The Comptroller to the Government of Mysore.

EXD.—A.N S.

1892.

GOVERNMENT OF MYSORE.

MUZARAYI.

PROCEEDINGS.

Dated 9th August 1892.

No. $\frac{492\text{-}500.}{22.}$

Issuing certain rules in regard to the deposit of moneys on favorable rates of interest by private individuals in Government Treasuries on behalf of Benevolent, Charitable or Educational Institutions or objects.

Mysore Govt. Central Press, Bangalore.—12-8-92.—200.

(General Serial No. 30.)

214

18

From The Comptroller
Mysore

To The Secretary to the Dewan
Moorzrai Department

Dated 20"

Despatched 24" August 92

Received

Enclosures No.

General No. 1241
No

Requesting that the Hon'ble A. Ramaiswamy Mudr and the Secretary Dewaraj Bahadur Charity Fund may be called upon to execute the document in regard to the deposits made by them on behalf of Charitable and Education Institution

Murzarai Deptt
24/8/92

B

As these deposits were made prior to the introduction of the new rules it is not compulsory to obtain the a document - Reply accordingly

as
4/8/92

No. /

COMPTROLLER'S OFFICE 22 AUG 92

OFFICE OF THE COMPTROLLER OF MYSORE,

Bangalore, 20 August 1892.

From

~~RANGASWAMY PILLAI Esq~~

The Comptroller of Mysore

To

The Secretary to the Dewan
Mudzrai Department

SIR,

With reference to Rule II annexed to Proceedings No 492-500/22 dated 9th August 1892. I have the honor to request that you will be so good as to call upon A. Krishnaswamy Moodeliar Rao Bahadur & the Secretary Devaraj Bahadur Charity Fund to execute the document therein referred to in regard to the deposits of Rs 1,15,000/ and 50,000/- made by the respectively on behalf of the and Educational Institutions

I have the honor to be,
Sir,
Your most obedient Servant,

By Order,

for

Muzrai

1892-93

To

The Comptroller to the
Govt of Mysore

Dated – 5/6 September 1892

No. 584/60

———"———

His Letter No. 1241 d/ 20th August 1892, requesting to call upon Rai Bahadur A. Narainsamy Mosdeliar and the Secretary Devaraj Bahadur Charity Fund, to execute the document referred to in Rule IV of the Govt Pro: No. 492-500/22, in regard to the deposits of Rs 115,000/ & 50,000/- (1½ Lacks) made by them on behalf of Charitable & Educational Institutions.

reply has the honor to observe that it is not necessary to obtain any documents from these gentlemen, since the deposits alluded to in the above were made prior to the introduction of the new Rules.

"By order"

C.

Secretary

MUZARAYI.

No. 492-500—22, DATED BANGALORE, 9TH AUGUST 1892.

ORDER.—As applications are being received from private gentlemen for the deposit of moneys in Government Treasuries on favorable rates of interest with a view of securing a permanent income for the charities, which they have already established or contemplate establishing within the Province, the Government of His Highness the Maharaja are pleased to issue the following rules on the subject:—

I. No deposit will be accepted for sums below Rs. 3,000 or above Rs. 1,00,000.

II. The rate of interest for such deposits shall in no case exceed 5 per cent per annum and shall be payable half-yearly.

III. Deposits will be received only on behalf of Benevolent, Charitable or Educational Institutions or objects, Government reserving to itself the right to determine, in each case, whether the charity on behalf of which application is made, is of a character that deserved encouragement.

IV. The person wishing to make a deposit under these rules shall execute a document to the Government binding his heirs, executors, administrators or assigns not to demand at any time the whole or any portion of the principal of the sum deposited, provided that it shall be lawful for the depositor, his heirs, executors, administrators or assigns, with the consent of Government, to withdraw the money and invest it otherwise for the benefit of the charity.

V. The Government are at liberty at any time to terminate the system of receiving deposits as above for charitable purposes.

A. SREENIVASACHARLU,
Secretary.

To—The Deputy Commissioners of Districts.
The Comptroller to the Government of Mysore.

EXD.—A.N.S.

1892.

GOVERNMENT OF MYSORE.

MUZARAYI.

PROCEEDINGS.

Dated 9th August 1892.

No. $\frac{492\text{-}500.}{22.}$

Issuing certain rules in regard to the deposit of moneys on favorable rates of interest by private individuals in Government Treasuries on behalf of Benevolent, Charitable or Educational Institutions or objects.

Mysore Govt. Central Press, Bangalore.—12-8-92.—200.

(General Serial No. 20.)

1853.

From

To

The Comptroller
to the Govt of Mysore

Dated 19

Despatched 20 January 93

Received

Enclosures No.

General No. 3886

No

With reference to Govt
Po. 492-500 dy 9th Aug
22
1892, issuing certain
rules
in regard to the deposit
for interest
of moneys ~~at favorable~~
~~rate of interest by~~
~~postoffice cash certificates~~
~~in Govt Securities~~
on behalf of Benevolent
~~Charitable or Educl~~
Institutions ~~at Mysore~~
has the honor to
enquire if the
document referred
to

From the Secretariat No 3699 dy 27/1/93

in Rule 10 of the
Pro. has been
taken from those
who have made
deposits on behalf
of their Charities
after the withdrawal
of the new Rules.

By Order

A1

Secy

A.M.

245

(General Serial No 30)

1893

From The Comptroller of Mysore.

To The Secretary to the Dewan of Mysore.

Dated 27th Municipal Department

Despatched

Received January 1893

Enclosures No.

General No. 3699
No.

Stating that the documents referred to in Para IV of Govt. Prov: No 492-500/22 dated 9th Aug: 92 have not as yet been received from the parties who have made deposits with Govt. on behalf of their Chambers, &c.

Awaited

31/1/93

From the Lawyers no 4539 97/3/93

No. 3699

COMPTROLLER'S OFFICE
27 JAN 93
MYSORE

OFFICE OF THE COMPTROLLER OF MYSORE,
Bangalore, 27th January 1893.

From

~~A. RANGASWAMI IYENGAR, Esq.,~~
The Comptroller of Mysore.

To

The Secretary
to the Dewan of Mysore
Inam Department.

SIR,

In reply to your docket No: 388 dated 19/20th January 1893, I have the honor to state that the documents referred to in rule IV of Government Proceedings No: 492-500/22 dated 9th August 1892 have not as yet been received from the pleaders who have made deposits with Government on behalf of their charities. Calls have been made for the same and the result will be reported to you in due course.

I have the honor to be
Sir,
Your most obedient servant

N Lufkin
for Comptroller

(General Serial No. 30.)

384

1893.

From The Comptroller of Mysore.

To The Secretary, to the Dewan of Mysore Medical Department.

Dated 7

Despatched 8 March

Received

Enclosures No. 2

General No 4539
No

Submits a draft of document to be executed by Deputation with Govt for charitable purposes.

I think it is desirable that documents of this kind executed in respect of deputations made for charitable purposes should be exempt from Stamp Duty. The best way of securing such exemption by a Notification. This may be submitted to Dewan in order.

15/5/93

Before the Dewan
Mr Percival Griffiths
The Value of the Stamp
is Rs 10 which can be well borne by the Deputation.
30/5/93

Laid before the Councillor for orders.

The draft agreement & the printed copy of the rules are submitted

Vide Letter No. 1 dated 15/8/93

Agt to be [illegible]

5 Sept/93 [illegible]

other [illegible]

70.

No 4539

Office of the Comptroller Mysore

Bangalore, 7th March 1893.

From

Comptroller of Mysore

COMPTROLLER'S OFFICE 7 MAR 93

To

The Secretary
to the Dewan of Mysore
Municipal Department.

Sir,

In continuation of my letter No 3699 dated 24th January 1893, in order to secure uniformity, I have the honour to submit a draft of a document to be executed by Depositors of money with the Government for charitable purposes as required by rule IV of the Rules framed by Government in Proceedings No 492-500/22 dated 7th July 1892, passed by the Government Advocate letter No 8 dated

a copy of which is enclosed and to beg that should the draft be approved of by Government, it may be returned to this office for the purpose of being printed and sent to the Gentlemen who have already made deposits with — Government for execution.

2. The stamp duty — chargeable on such — documents is annexed — stated by — Advocate.

And will have to be borne
by the Individual making
the Deposit

I have the honor to be

Sir

Your most obedient Servant

Wm Cayle

Fort Smith Bottle

Ans

Ho

(General Serial No. 30.)

1893.

From The Government Advocate in Mysore

To The Comptroller in Mysore.

Dated 25 February.

Despatched

Received

Enclosures No.

General No 34

No

Sir. I have the honor to send herewith as requested in your letter No 3948 of the 4th instant an amended draft of the document to be executed by depositors in Government Securities for charitable purposes.

2. The changes made in the present draft have mostly been in a verbal character and calculated to make the language [illegible] precise.

clause in the indenture as to the withdrawal of deposits has been allowed to act by being into conformity with the terms of the Government Proceedings.

3 As the document does not itself purport to create a trust for charitable purposes, but contemplates the deposit and the trust for charities as having been already made, its effect is simply to impose upon the executant certain conditions or covenants. Hence it is merely an agreement, and as such, it is chargeable with a stamp duty which arises under article 5(c) Schedule I of the Stamp Act II of 1899.

The fact that the document is stated makes no difference

Clearances are herewith returned.

I have &c

(Signed) S. Ramaswamy Iyer
Assistant Govt Adv

S. Ramaswamy

Govt

Deposits received free of interest
& Rs 2115 on Rs -

No.	Name of Depositor.	Amount of Deposit and Date of order. Amount	Date.
1.	Polepalli Subbasetty Bangalore	12,000/- Rs	18" Sep: 1892.
2	B. Venkata char Bangalore	3000/- Rs	1st Sep. 1892.
3.	Secretary to the Nanjaraja Bahadur Chatram Fund Committee, Mysore	10,000/- Rs	18th Febry. 1893.

Dec. 1
16/3

Proceedings of the Government of Mysore

Mysore

Read :-

Letter No 4539 dated 7th March 1893 from the Comptroller to the Government of Mysore submitting for approval a draft of document to be executed by depositors of money with Government for charitable purposes as required by Rule IV of the Rules prescribed by Government in Proceedings No 492-500/22 dated 9th August 1892.

Order thereon No 624.
Dated Bangalore, 3rd April 1893.

The draft document submitted by the Comptroller is approved.

2. The stamp duty chargeable on such documents ~~is a trivial~~ will be borne by the ~~Government~~ ~~taking a deposit~~ ~~sum, viz, eight annas only, & can be well by the depositors of money in Government Treasury.~~

To
The Comptroller to the Government of Mysore.

C.V. Secretary

1893

To

The Comptroller

Mysore Fort.

Dy 3.4.93

Despd. 7.4.93

No. 624. R/

Draft.

Approving of a draft document to be executed by depositors in Fort Treasury for charitable purposes.

MUZARAI OFFICE OF THE DEWAN OF MYSORE
MUZRAI BRANCH

(General Serial No. 30.)

1893

From The Comptroller
Mysore Govt.

To The Muzrai Secretary

Dated 19th April 93

Despatched

Received 20 . 4 - 93

Enclosures No.

General No. 5-336
No.

Requesting to return the draft document to be executed by depositors of moneys with Govt. for charitable purposes

No.

COMPTROLLER'S OFFICE

OFFICE OF THE COMPTROLLER OF MYSORE,

Bangalore, April 1893.

From E. K. Subarayan Esquire
Comptroller of Mysore.

To

The Secretary to the
Dewan of Mysore
Municipal Department.

Sir,

With reference to Proceedings No 624 dated 3/7 April 1893, I have the honor to request that you will be so good as to return the draught document to be executed by depositors of money with Government for charitable purposes enclosed in my letter No. 45-39 dated 4th March 1893 for the purpose

is submitted and sent to
the Senate concurred
in execution.

I have the honor to be

Sir.

Your most obedient servant.

H. Eustis

Secretary of War

MUZARAYI.

(General Serial No. 30.)

1893.

From

To The Comptroller to the Govt. of Mysore

Dated 20 April/93

Despatched 21

Received

Enclosures No. 1

General No. 702

Muzarayi. F. No.

His No. 5336 of the 19th Instant requesting the return of the draft document to be executed by depositors of money with Govt. for charitable purposes.

—— x ——

Has the honor to return the draft document as requested in the above.

By order

Secretary

C.C.